

SENATE BILL 1247

By Cooper

AN ACT to amend Tennessee Code Annotated, Title 3; Title 4, Chapter 3, Part 20 and Title 4, Chapter 8, Part 1, relative to security for the legislative branch of government.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, is amended by adding the following new Chapter 17:

Section 3-17-101.

(a) The joint legislative services committee is authorized to establish within the legislative branch of government a division of legislative security (hereinafter the division).

(b) The division shall be charged with providing security and other law enforcement services for members of the general assembly and employees and property of the legislative branch of government. The joint legislative services committee may also from time to time assign the division special temporary duties, emergency duties or additional permanent duties.

(c) The division and its employees shall have jurisdiction over all facilities, buildings, the grounds thereof, and floors of or offices in buildings, in

Davidson County that are used or occupied by the legislative branch of government.

Section 3-17-102. The joint legislative services committee is authorized to appoint, subject to the approval of the speaker of the senate and the speaker of the house of representatives, a director for the division who shall have law enforcement experience and, through training, experience or both, be knowledgeable in the field of providing security. The director shall be chosen without reference to party affiliation but solely on the basis of fitness to perform the duties of the office. The director shall serve at the pleasure of the joint legislative services committee and such committee shall determine the compensation of the director. The director is authorized, with the consent of the joint legislative services committee, to enter into a mutual cooperation agreement with the commissioner of safety and other law enforcement agencies relative to the provision of security services for state buildings in which the division and department of safety's division of protective services both have jurisdiction.

Section 3-17-103. Within budgetary guidelines established by the joint legislative services committee, the director shall employ a sufficient number of security officers and other personnel to permit the division to efficiently and properly perform its assigned duties and functions. All such personnel shall be chosen without reference to party affiliation but solely on the basis of fitness to perform their assigned duties. The compensation of such security officers and other personnel shall be determined by the committee upon recommendation of the director.

Section 3-17-104.

(a) All security officers employed by the division shall have satisfactorily completed appropriate training and be certified by the Jerry F. Agee Law Enforcement Training Academy, or other similar agency, as qualified, including physical and mental competency, to carry firearms.

(b) Upon being so certified, the director of the Tennessee bureau of investigation shall issue special police commissions to all division security personnel who are full-time salaried employees of the division. Notwithstanding any other provision of law to the contrary, such commission shall authorize such division security officers to go armed and carry a firearm while on active duty engaged in carrying out their responsibilities and duties under Section 3-17-101(b).

(c) A special police commission by the director as provided in subsection (b) shall also confer upon such division security officers full law enforcement powers including, but not limited to, the power to make arrests and the power to apply for and execute arrest and search warrants.

SECTION 2. Tennessee Code Annotated, Section 4-3-2006, is amended by deleting subsection (a)(2) and substituting instead the following:

(2) This division shall exercise the powers and duties formerly imposed upon the department of general services to provide police services by sworn officers for the state capitol not under the jurisdiction of the division of legislative security created by Tennessee Code Annotated, title 3, chapter 17, and all state office buildings, or portions thereof in Davidson County that are not under the jurisdiction of such legislative security division, and to provide personal security from time to time for state officials as directed by the commissioner, along with the primary, but not exclusive, responsibility of enforcing the parking regulations and policies as established by the department of general services.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.